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QUESTION OF PALESTINE

SECURITY COUNCIL
Fifty-first year

Letter dated 2 October 1996 from the Permanent Representative of Ireland to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith the text of a declaration issued on 1 October by the Council of Ministers of the European Union on the subject of the Middle East peace process (see annex).

I would be grateful if you could have the text of the present letter and its annex circulated as an official document of the General Assembly, under agenda items 33 and 35, and of the Security Council.

(Signed) John H. F. CAMPBELL
Ambassador and
Permanent Representative

ANNEX

Declaration made on 1 October 1996 by the European Union on the Middle East peace process

[Original: English and French]

The Council of Ministers of the European Union is appalled by the recent violence and the resulting casualties in Jerusalem and throughout the West Bank and the Gaza Strip. It offers its sincere condolences to the families of those Palestinians and Israelis who have lost their lives, and its sympathy to the injured.

The European Union strongly calls upon both parties to abide by United Nations Security Council resolution 1073 (1996) of 28 September 1996. The European Union calls upon both the Israeli authorities and the Palestinians to exercise the utmost restraint and to refrain from any actions or words that might lead to further violence. It urges both sides to avoid resorting to disproportionate force, in particular the use of firearms, tanks and helicopter gunships. It calls on the Government of Israel to prevent its forces from re-entering autonomous areas in Zone A, contrary to the spirit and the letter of the Interim Agreement. It further calls on the Palestinian Authority to exert full control over Palestinian forces and to maintain calm in the autonomous area.

The Troika has discussed the Union's concerns at meetings in New York with Israeli Foreign Minister David Levy and in Luxembourg with President Yasser Arafat.

The European Union recognizes that the recent incidents were precipitated by frustration and exasperation at the absence of any real progress in the peace process and firmly believes that the absence of such progress is the root of the unrest. It calls on Israel to match its stated commitment to the peace process with concrete actions to fulfil its obligations, as well as to refrain from any action likely to create mistrust about its intentions.

The Union notes that the particular events that triggered the current crisis concerned the fears of Palestinians that their position in Jerusalem was being further eroded. The Union recalls that parties have agreed, under the terms of the Declaration of Principles, not to take any action that would prejudge the outcome of the permanent status negotiations. It will work to ensure that this commitment is implemented by both sides. Following Security Council resolution 1073 (1996), the Union believes that it would help greatly to restore calm and confidence if the Hasmonean tunnel in Jerusalem were restored to its original state. It furthermore calls for the cessation and reversal of all acts that may affect the status of the Holy Places in Jerusalem.

The European Union reaffirms its policy on the status of Jerusalem. East Jerusalem is subject to the principles set out in Security Council resolution 242 (1967) of 22 November 1967, notably the inadmissibility of the acquisition

of territory by force, and is therefore not under Israeli sovereignty. The Union asserts that the Fourth Geneva Convention is fully applicable to East Jerusalem, as it is to other territories under occupation.

The Council stresses the importance of the Euro-Mediterranean Association Agreement, which is based on a common commitment to the peace process. In this context it calls on Israel to give clear practical demonstration of its confirmed intention to implement fully the agreements already reached with the Palestine Liberation Organization.

The Union believes that urgent progress in the following areas is crucial to the peace process:

(a) Timely implementation of the agreements reached, including completion of the first phase of Israel's troop redeployment, notably from Hebron, and the release of Palestinian prisoners;

(b) Positive steps to alleviate the economic plight of the Palestinians, including the early lifting of the closures, guaranteeing safe passage between Gaza and the West Bank and the lifting of obstacles to international aid efforts and the realization of infrastructural projects (e.g. Gaza airport, Gaza harbour, industrial zones);

(c) Resumption of full cooperation in order to ensure internal security both in Israel and the areas under Palestinian authority;

(d) Refraining from measures that prejudice the outcome of the final status negotiations, including annexation of land, demolition of houses, new settlement construction and expansion of settlements;

(e) Engagement of the next stage of negotiations as set down in the Declaration of Principles.

The Union welcomes the initiative to host a meeting in Washington between the parties. It hopes this meeting will lead to the recommencement of constructive negotiations on the basis of the principles of Madrid and the terms of the Declaration of Principles.

The security partnership that was created between Israel and the Palestinians has been one of the main achievements of the peace process. We call on both sides to dedicate themselves to recovering the trust and cooperation that epitomized the spirit of the peace process. Now more than ever the Union encourages the Government of Israel and the Palestinian Authority to cooperate at all levels. Good neighbourly policies are indispensable to Israel's security in the long term. That security can be found only on the basis of a renewed partnership between Israel and its Palestinian neighbours.

As it declared at the Florence European Council in June 1996, peace in the Middle East is a vital interest of the European Union. Accordingly, the Union is ready to play an active part in efforts to recommence the negotiations,

commensurate with its interests in the region, and on the basis of its major contribution to the peace process so far. The Union is currently preparing a Ministerial Troika visit to the Middle East for talks with the main parties in the peace process.